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12	Attorneys for Defendants	
13	UNITED STATES DISTRICT COURT	
14	DISTRICT OF NEVADA	
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16		
17	GARY GRYZWA,	Case No.: 2:11-cv-00030-RCJ-RJJ
18	Plaintiff,	
19	vs.	STIPULATED PROTECTIVE ORDER
20		
20	ALLIANCE MECHANICAL, INC., MARK	
21	W. VERNON, and DOES 1 THROUGH 20,	
22		
23	Defendants.	
24		
25	Plaintiff and Defendants, through counsel, hereby stipulate to the following:	
26	1. This lawsuit is an ERISA action alleging <i>inter alia</i> that Defendants breached their	
27	fiduciary duties by failing to assure that fringe benefits contributions were properly and/or timely	
28	remitted to a 401(k) employee pension benefits plan	a. Plaintiff has been granted leave to pursue his
	1	

Case No. 2:11-cv-00030-RCJ-RJJ

STIPULATED PROTECTIVE ORDER

complaint on class basis.

- 2. Plaintiff has sought through discovery certain personally-identifying information and financial/payroll records from the Defendants and from third-party entities (specifically, John Hancock (USA) and Priority Pension Services, Inc.) that pertain to putative class members.
- 3. Defendants have expressed concern regarding the putative class members' right to privacy with respect to the documents sought.
- 4. While Plaintiff disputes the applicability of any legal right of privacy regarding the requested records, Plaintiff has agreed to enter into this Stipulated Protective Order in order to resolve said concerns.
- 5. Pursuant to this Stipulated Protective Order, Plaintiffs agree that names, telephone and addresses of putative class members will be used solely for purposes of this litigation and will not otherwise be disclosed. Nothing herein will prevent Plaintiff's counsel from contacting putative class members for the purpose of pursuing this litigation.
- 6. Plaintiff further agrees that information provided by Defendants, by John Hancock USA, and/or by Pension Priority Services Inc., consisting of employee payroll records, 401(k) account transaction histories, individual investment selections, and other individual financial information revealed in plan account documents will be used solely for purposes of this litigation and will not otherwise be disclosed. Such documents will be marked "confidential" when provided to Plaintiff's counsel.

Respectfully submitted,

) || SO STIPULATED AND AGREED.

	,
February 27, 2012	/s/ Eric B. Myers
	Eric B. Myers, Esq.,
	McCRACKEN, STEMERMAN & HOLSBERRY
	Counsel for Plaintiff
February 27, 2012	/s/ Michael T. Gebhart
	Michael T. Gebhart, Esq.
	PEEL BRIMLEY, LLP
	Counsel for Defendants
	February 27, 2012 February 27, 2012

## Case 2:11-cv-00030-APG-NJK Document 57 Filed 02/27/12 Page 3 of 3

1	IT IS SO ORDERED.
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Case No. 2:11-cv-00030-RCJ-RJJ

STIPULATED PROTECTIVE ORDER